

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ELI MISTOVICH, JR.)	
Plaintiff)	
)	
v.)	C.A. No. 04-12340-EFH
)	
ELIZABETH BOWDEN, STEPHEN)	
URBAN, STEPHEN NEVERO and)	
ALISON LEATON)	
Defendants)	

LOCAL RULE 16.1 (D) CERTIFICATE

PLEASE TAKE NOTICE THAT the undersigned parties to this action, and their counsel, hereby certify pursuant to Local Rule 16.1(D)(3) of the Local Rules of the United States District Court for the District of Massachusetts that:

- (a) they have conferred with a view to establishing a budget for the costs of conducting the full course, and various alternative courses, of this litigation; and
- (b) they have conferred to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

ELIZABETH BOWDEN, STEPHEN
URBAN, and STEPHEN NEVERO,

By their duly authorized representative,

/s/ Richard Davey

Richard Davey
General Counsel
Massachusetts Bay Commuter Railroad, LLP
89 South Street - 8th Floor
Boston, MA 02111
(617) 222-8022
Dated: January 10, 2005

By their attorneys,

/s/ Laurie F. Rubin

Walter B. Prince, BBO # 406640
Laurie F. Rubin, BBO #564947
Prince, Lobel, Glovsky & Tye LLP
585 Commercial Street
Boston, MA 02109
(617) 456-8000